

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JUNE 30, 2005
8:30 A.M.**

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:30 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,
JUNE 23, 2005**

MOTION: Heier moved and Workman seconded approval of the Staff Meeting minutes dated June 23, 2005. Workman, Heier and Hudkins voted aye. Stevens abstained from voting. Schorr was absent from voting. Motion carried.

Schorr arrived at 8:33 a.m.

2 ADDITIONS TO THE AGENDA

- A. Jail Update
- B. Ethanol
- C. Lindbergh Airfield Update
- D. Storm Update
- E. Arena Task Force
- F. Appointments to Nebraska Innovation Zone Commission

MOTION: Stevens moved and Heier seconded approval of the additions to the agenda. Schorr, Workman, Stevens, Heier and Hudkins voted aye. Motion carried.

3 BUDGET WORK SESSION - Dave Kroeker, Budget and Fiscal Officer

Dennis Keefe, Public Defender, and Gary Lacey, County Attorney, appeared and discussed funding of a case management system for their offices (see Lancaster County, Summary Analysis of Requested Budget, Data Processing in Exhibit A). The following options were discussed: 1) Have Information Services (IS) build a case management system for the two offices; 2) Purchase an existing system and have IS make the necessary modifications; and 3) Explore utilizing a case management system that the Nebraska Crime Commission has made available which ties into the Judicial Users System to Improve Court Efficiency (JUSTICE) System.

MOTION: Heier moved and Workman seconded to direct Information Services (IS) to look at various systems to determine costs and to work with the Public Defender and County Attorney to determine what modifications will be needed.

Dave Kroeker, Budget and Fiscal Officer, said Doug Thomas, Information Services Director, has indicated it will cost in the area of \$162,000 to build a system and has recommended that the County make \$100,000 available this year for the project.

FRIENDLY AMENDMENT: Stevens offered a friendly amendment to ask Information Services (IS) to prioritize the General Assistance (GA) and Case Management System Projects and to present a tentative plan and schedule to the Board in three weeks.

Heier suggested that the Board consider using Keno Funds to fund the project and ask the County Attorney to share equally in the funding by using Drug Forfeiture Funds.

The maker of the motion and the seconder accepted the friendly amendment.

ROLL CALL: Schorr, Workman, Stevens, Heier and Hudkins voted aye. Motion carried.

Terry Genrich, Parks & Recreation Natural Resources Manager, appeared and presented a map of the South Beltway greenway.

Brief discussion took place regarding density and transfer of development rights.

The Board asked staff to check with the County Attorney's Office to see when a legal opinion on the transfer of development rights issue will be ready.

Genrich said the Nebraska Department of Roads will start to acquire right-of-way in the next year and a half to two years and said it is willing to acquire the land for greenway at the same time. The County has been asked to contribute \$200,000 to help fund the acquisition of land for the greenway. The Lower Platte South Natural Resources District (NRD) has been asked to contribute a like amount. The City will fund the majority of the balance.

MOTION: Workman moved to approve \$200,000 for greenspace for the South Beltway.

The motion died for the lack of a second.

MOTION: Schorr moved and Workman seconded to allocate \$50,000 out of the Keno Fund for acquisition of land for greenway along the South Beltway this year, with a commitment to fund the balance over a three-year period.

Heier said he would prefer to hold action until the budget is finalized.

Genrich assured the Board that he will not draw down the funds until there is a project in place.

ROLL CALL: Schorr, Workman, Stevens and Hudkins voted aye. Heier voted no. Motion carried.

Hudkins changed his vote to no after clarification of the motion.

The motion carried on a vote of three to two.

The Board discussed a request from County Court for 16 additional paid parking spaces (see Exhibit A).

MOTION: Schorr moved and Heier seconded to authorize the Chair to send a letter to the County Court and District Court informing them that there is a new parking policy and that the County will only pay for parking for judges and bailiffs, with a copy to Don Killeen, County Property Manager.

FRIENDLY AMENDMENT: Heier offered a friendly amendment to only allow paid parking for the judges.

Schorr suggested that two paid parking spaces be given to each judge to allocate at their discretion.

Heier withdrew his friendly amendment.

The maker of the motion and the seconder withdrew their motion.

MOTION: Schorr moved and Heier seconded to authorize the Chair to send a letter to County Court and District Court indicating that two (2) paid parking stalls will be allotted to each judge; one (1) paid parking stall will be allotted to Becky Bruckner, Judicial Administrator for County Court; and one (1) paid parking stall will be allotted to Susan Gillan, Child Support Referee. Heier, Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

Kroeker gave an overview of Comparison of FY04 to FY05 Obligation and FY05 Obligations to FY06 Requests, noting areas of significant increases (Exhibit A).

Board consensus was to adjust the Data Processing budget to reflect \$75,000 for the case management system for the Public Defender and County Attorney's Offices.

Kroeker reported a request from Corrections to encumber \$62,000 for items that have not been paid (see Exhibit A).

Discussion took place regarding the claims from Bryan/LGH Health System for Emergency Protective Custody (EPC) patients.

Trish Owen, Chief Deputy County Clerk, said her office was instructed by the County Attorney's Office to hold the bills until something was worked out with Bryan/LGH.

Kroeker said it appears that the claims date back to 2003. He said Scott Etherton, Crisis Center Program Manager, has indicated that the hospital is billing for everything and that some of the claims are covered by Medicare or Medicaid.

The Board requested an accounting from the County Clerk's Office, with a breakdown by year, and a current balance statement from Bryan/LGH.

ADMINISTRATIVE OFFICER REPORT

E. Investment of Lancaster Manor Funds

Kroeker said the Renewal and Replacement Fund will have a \$500,000 certificate come due on July 8th and said \$250,000 will be used to cover a bond principal payment. An additional \$456,000 came due on June 28th. He said the Money Market rate is 2.77% and the Nebraska Public Agency Investment Trust (NPAIT) rate is 2.90% (six months), 3.00% (nine months) and 3.45% (twelve months) and presented his recommendation that the County invest \$250,000 with the Federal Home Loan Mortgage Corporation

(FHLMC) to April 15, 2006 at the rate of 3.55% and \$450,000 with FHLMC to July 15, 2006 at the rate of 3.62% (Exhibit B).

Hudkins clarified that Budget and Fiscal Officer's recommendation is for nine months at 3.00% and twelve months at 3.45%.

MOTION: Heier moved and Stevens seconded to follow the recommendation of the Budget and Fiscal Officer's recommendation for the nine and the twelve months. Heier, Schorr, Workman, Stevens and Hudkins voted aye. Motion carried.

4 COMPUTERS FOR STATE-WIDE VOTER REGISTRATION SYSTEM - Dave Shively, Election Commissioner

Dave Shively, Election Commissioner, said computers in his office need to be upgraded to meet the specifications for the new state-wide voter registration system. He said the State will provide his office with five computers and said an additional four computers are needed (estimated cost is \$9,811.30). Shively also presented a revised estimate for the Jury Commissioner's computer and said he believes the cost can be reduced to \$1,000 (Exhibit C).

The Board asked Shively to check on how many computers Douglas County is receiving and whether the State will reimburse any of the cost.

MOTION: Stevens moved and Workman seconded to direct Dave Shively, Election Commissioner, to work with Dave Kroeker, Budget and Fiscal Officer, to determine the appropriate funding source for four computers for the Election Commissioners' Office, one computer for the Jury Commissioner and the auxiliary equipment and software, with an approximate budget of \$11,000. Stevens, Workman, Schorr, Heier and Hudkins voted aye. Motion carried.

5 A) ADULT DRUG COURT CONTRACT WITH STATE PROBATION FISCAL YEAR 2005-06; AND B) INSTITUTE FOR SOCIAL AND ECONOMIC DEVELOPMENT (ISED) CONTRACT AMENDMENT - Kim Etherton, Community Corrections Director

A) Adult Drug Court Contract

Kim Etherton, Community Corrections Director, said State Probation will provide two drug treatment court probation officers and a part-time drug technician to the County, under the terms of the contract.

Eagan asked whether there is potential for funding under LB 538 (change provisions relating to drug offenses, probation, parole and work camps).

Board consensus was to ask the County Attorney's Office to review the bill.

B) Institute for Social and Economic Development (ISED) Contract Amendment

Etherton said the addendum will extend the term of the agreement to allow for submission of the final report.

ADDITIONS TO THE AGENDA

A. Jail Update

Heier reported that an inmate attempted suicide at the jail last night. The individual has since undergone a psychiatric evaluation.

B. Ethanol

MOTION: Heier moved to authorize the Chair to send a letter to department heads and elected officials telling them to start using ethanol fuel (E10 and E85 ethanol fuel blends) in county vehicles.

The motion failed for the lack of second.

Board consensus was to schedule further discussion with representatives of the Purchasing Department and County Engineering.

Heier said he will ask a mechanic and a representative of the Nebraska Corn Board to be present for the discussion.

6 EXECUTIVE SESSION:

A) LABOR NEGOTIATIONS - Don Taute, Personnel Director; John Cripe, Classification and Pay Manager

B) PERSONNEL ISSUE - Tom Fox, Deputy County Attorney; Dean Settle, Community Mental Health Center Director

MOTION: Schorr moved and Workman seconded to enter Executive Session at 10:02 a.m. for discussion of labor negotiations and a personnel issue. Schorr, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

MOTION: Stevens moved and Workman seconded to exit Executive Session at 11:04 a.m. Heier, Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

7 AMENDMENT OF PAYFLEX CONTRACT TO EXTEND END OF YEAR SPENDING REQUIREMENTS - Don Taute, Personnel Director; Bill Kostner, City Risk Manager

Don Taute, Personnel Director, presented Internal Revenue Service (IRS) Notice 2005-42 which states Flexible Spending Account (FSA) plans may be amended to provide for a 2 ½ month grace period (Exhibit D). **NOTE:** PayFlex Systems USA, Inc. administers the Lancaster County Flexible Spending Account Plan.

MOTION: Stevens moved and Workman seconded to: 1) Direct the County Attorney's Office to prepare an amendment to the PayFlex contract, incorporating the change to permit a grace period; and 2) Authorize a payroll insert notifying employees of the change, if the amendment to the contract is approved. Schorr, Workman, Stevens, Heier and Hudkins voted aye. Motion carried.

8 ACTION ITEMS

A. Wellness Letter Paycheck Insert for July 14, 2005

MOTION: Stevens moved and Workman seconded approval. Schorr, Workman, Heier, Stevens and Hudkins voted aye. Motion carried.

B. Authorize Community Mental Health Center to Submit Application for Annual Renewal of Child and Adult Care Food Program

MOTION: Schorr moved and Heier seconded to authorize the Chair to sign the application and to indicate his date of birth, as required. Schorr, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

C. Letter to Senator Chuck Hagel Regarding S. 852 (Asbestos Bill)

MOTION: Workman moved and Heier seconded approval of the letter.

Stevens and Schorr requested additional time to research the issue.

The maker of the motion and the seconder withdrew their motion.

Board consensus was to schedule further discussion with Don Killeen, County Property Manager.

ADDITIONS TO THE AGENDA

D. Storm Update

Eagan said a severe thunderstorm on June 29th caused extensive crop damage, particularly in the area of South 134th Street and Yankee Hill Road.

9 ADMINISTRATIVE OFFICER REPORT

A. Meeting with Nancy Montanez, Nebraska Department of Health & Human Services (HHS) Director

Eagan said the meeting is no longer crucial, as the County and HHS are renegotiating the contract for housing State wards at the Youth Services Center and the evaluation piece.

The Board decided not schedule a meeting at this time.

B. Claims for Review:

1. Invoice Number 119-966 from Industrial Services, Inc. in the Amount of \$481.80

MOTION: Workman moved and Schorr seconded to approve the claim, with the exception of the \$19.80 fuel surcharge.

Eagan said the policy has been to schedule claims that are questionable under Claims for Review on the Board of Commissioners Meeting agenda (on the second Tuesday following the Staff Meeting), with notification to the vendor.

The maker of the motion and the seconder withdrew their motion.

Board consensus was to schedule the claim under Claims for Review on the July 12, 2005 Board of Commissioners Meeting agenda and to notify the vendor.

2. Mentor Services for the Welch Family in the Amount of \$100.00
3. Interpreter Services for Teuta Ademi in the Amount of \$330.000
4. Bonding and Attachment Assessment for Tiffany Taylor on January 10, 2004 in the Amount of \$760.00

Eagan presented additional information regarding the claims (Exhibits E & F). He said Renee' Dozier, Families First & Foremost (F³) Director, has recommended payment, acknowledging that her office did not submit the service authorizations in a timely manner.

MOTION: Stevens moved and Workman seconded to handle the three claims through the regular claims process at the Tuesday, July 5, 2005 Board of Commissioners Meeting. Stevens, Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

C. Final Budget Work Session (July 14, 2005)

Board consensus was to: 1) Schedule budget discussion at 7:30 a.m. on Tuesday, July 12th and continue budget discussion after the Board of Commissioners Meeting, if necessary; and 2) Cancel the Management Team Meeting scheduled at 7:30 a.m. on July 14th and start the Staff Meeting at that time, with budget discussion through 10 a.m.

D. Annual Pension Investment Review (July 21, 2005)

Board consensus was to schedule a one hour presentation at 7:30 a.m. or at 12 p.m., during the break in the Board of Equalization Hearings.

E. Investment of Lancaster Manor Funds

Item moved forward on the agenda.

F. Correspondence from Downtown Lincoln Association (DLA) Regarding "K" Street Complex (See Agenda Packet)

MOTION: Schorr moved and Workman seconded to send a letter to Michelle Waite, Downtown Lincoln BID Association, outlining the procedure and explaining that her letter arrived after the Board of Equalization Meeting on June 14, 2005. Schorr, Workman, Heier and Hudkins voted aye. Stevens voted no. Motion carried.

G. Notice to Remove Dead Tree

Eagan said the County has received a notice from the City that a dead pine tree on county property at 1001 South Street needs to be removed. He said a maintenance crew will remove the tree.

ADDITIONS TO THE AGENDA

C. Lindbergh Airfield Update

Workman reported on a meeting held to discuss the proposal for an memorial airstrip for light aircraft. He said an individual or organization will need to submit a plan and an application for a long-term lease to the City and said the local Experimental Aircraft Association (EAA) chapter will be contacted to see whether it would be interested in doing so.

E. Arena Task Force

Schorr reported on the task force membership.

F. Appointments to Nebraska Innovation Zone Commission

Schorr said Bruce Bohrer, Lincoln Chamber of Commerce, has sent a reminder that the County Board needs to make two appointments to the Nebraska Innovation Zone Commission (created under LB 546). She said Bohrer has several names that he would like the Board to consider. Schorr will follow-up with Bohrer and will report back.

Workman exited the meeting at 11:37 a.m.

10 DISCUSSION OF BOARD MEMBER MEETINGS

A. Families First & Foremost (F³) Conveners - Schorr

Schorr reported on F³'s transition to Region V.

B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Hudkins, Schorr

Hudkins and Schorr reported discussion of the following issues: Arena Task Force; County Budget, "K" Street Complex, and Jail Expansion.

C. Downtown Lincoln Association (DLA) - Stevens

Stevens said the budget was approved, with a modest increase, and Kent Morgan, Assistant Planning Director, gave a condensed presentation on the Downtown Master Plan.

Board consensus was to schedule a similar presentation.

11 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11:45 a.m. Schorr, Stevens, Heier and Hudkins voted aye. Workman was absent from voting. Motion carried.

Bruce Medcalf
Lancaster County Clerk